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Attorneys for Plaintiff  
BLACK + GOLD CORPORATION

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION**

BLACK + GOLD CORPORATION,

Plaintiff,

v.

LOBBLE ALLURING BLOOMS LLC,

Defendant.

**Case No.:**

**COMPLAINT FOR COPYRIGHT  
INFRINGEMENT (INJUNCTIVE RELIEF  
DEMANDED)**

**Demand for Jury Trial**

Plaintiff BLACK + GOLD CORPORATION by and through its undersigned counsel, brings this Complaint against Defendant LOBBLE ALLURING BLOOMS LLC for damages and injunctive relief, and in support thereof states as follows:

**SUMMARY OF THE ACTION**

1. Plaintiff BLACK + GOLD CORPORATION (“B+G”) brings this action for violations of exclusive rights under the Copyright Act, 17 U.S.C. § 106, to copy and distribute B+G’s original copyrighted Work of authorship.

2. BLACK + GOLD is a creative social media and photography marketing agency. Their goal is to elevate brand narratives with custom photography and grow social media accounts through a curated, data-driven approach to management. B+G’s full suite of services also includes social media ad management and micro-influencer development, and social content production. They work with brands spanning a diverse range of consumer product goods, from fashion to beauty to wellness and beyond.

3. Defendant LOBBLE ALLURING BLOOMS LLC (“Lobble”) is a girls clothing online retailer that specializes in fashionable girl clothes for babies to pre-teens including accessories, active wear, outfit sets and skirts. At all times relevant herein, Lobble owned and operated the internet website located at the URL <https://www.lobblegirlsclothing.com/> (the “Website”).

4. B+G alleges that Lobble copied B+G’s copyrighted Work from the internet in order to advertise, market and promote its business activities. Lobble committed the violations alleged in connection with Lobble’s business for purposes of advertising and promoting sales to the public in the course and scope of the Lobble’s business.

### **JURISDICTION AND VENUE**

5. This is an action arising under the Copyright Act, 17 U.S.C. § 501.

6. This Court has subject matter jurisdiction over these claims pursuant to 28 U.S.C. §§ 1331, 1338(a).

7. Defendant is subject to personal jurisdiction in California.

8. Venue is proper in this district under 28 U.S.C. § 1391(b) and (c) and 1400(a) because the events giving rise to the claims occurred in this district, Defendant engaged in infringement in this district, Defendant resides in this district, and Defendant is subject to personal jurisdiction in this district.

### **DEFENDANT**

9. Lobble Alluring Blooms LLC is a California Limited Liability Company, with its principal place of business at 545 East San Ramon Avenue, Fresno, California, 93710, and can be

1 served by serving its Registered Agent, Incomp Services, Inc., 5716 Corsa Avenue, Suite 110,  
2 Westlake Village, California, 91362.

3 **THE COPYRIGHTED WORK AT ISSUE**

4 10. In 2016, B+G created the photograph, through a work for hire agreement, entitled  
5 1227\_Blu&Blue0067, which is shown below and referred to herein as the “Work”.  
6



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21 11. B+G registered the Work with the Register of Copyrights on December 20, 2019 and  
22 was assigned the registration number VA 2-191-965. The Certificate of Registration is attached  
23 hereto as Exhibit 1.

24 12. At all relevant times B+G were the owner of the copyrighted Work at issue in this  
25 case.

26 **INFRINGEMENT BY DEFENDANT**

27 13. Lobble has never been licensed to use the Work at issue in this action for any  
28 purpose.



1 27. Lobble performed the acts alleged in the course and scope of its business activities.

2 28. Lobble's acts were willful.

3 29. B+G have been damaged.

4 30. The harm caused to B+G has been irreparable.

5 WHEREFORE, the Plaintiff prays for judgment against the Defendant Lobble Alluring  
6 Blooms LLC that:

7 a. Defendant and its officers, agents, servants, employees, affiliated entities, and all of  
8 those in active concert with them, be preliminarily and permanently enjoined from committing the  
9 acts alleged herein in violation of 17 U.S.C. § 501;

10 b. Defendant be required to pay Plaintiff its actual damages and Defendant's profits  
11 attributable to the infringement, or, at Plaintiff's election, statutory damages, as provided in 17  
12 U.S.C. § 504;

13 c. Plaintiff be awarded its attorneys' fees and costs of suit under the applicable statutes  
14 sued upon;

15 d. Plaintiff be awarded such other and further relief as the Court deems just and proper;  
16 and

17 e. Plaintiff be awarded pre- and post-judgment interest.  
18

19  
20  
21 **JURY DEMAND**

22 Plaintiff Black + Gold Corporation hereby demands a trial by jury of all issues so triable.

23 DATED: August 24, 2022

Respectfully submitted,

24  
25 /s/ Jonah A. Grossbardt

JONAH A. GROSSBARDT

MATTHEW L. ROLLIN

SRIPLAW

Attorneys for Plaintiff Black + Gold Corporation  
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